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ABSTRACT

This document defines human rights, examines U.S. international human rights policy, analyzes various critiques of U.S. policy, and evaluates different judgments regarding an ideal U.S. policy. Presented in the form of a unit of study, the document is intended for use by high school and junior college classroom teachers as they develop and implement educational programs on human rights. The document is presented in seven parts. Part one examines various definitions of rights and relates the definitions to their legal and moral sources. Types of rights examined include civil, political, social, and economic. Suggested activities include making lists of rights, comparing lists among students, and summarizing readings. Part two analyzes the Bill of Rights and the Declaration of Human Rights. Part three relates rights to duties and directs students to differentiate between rights and duties in "Pacem in Terris," written by Pope John XXIII in 1963. Part four focuses on U.S. State Department documents on human rights. Students are directed to answer questions about the documents and evaluate the statements against various criticisms. In parts five and six, students are asked to formulate an ideal human rights policy and to compare it with present policies. Activities include role playing and examining four points of view on policy objectives. The final part suggests methods for evaluating student learning, including an essay test and student recommendations to the Secretary of State regarding human rights. The document concludes with appendices which list human rights and their sources and present the text of major human rights doctrines. (DB)

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HUMAN RIGHTS

INTERNATIONAL HUMAN RIGHTS AND U.S. POLICY

- a unit for high school and junior college classes -

1979

- **defines and identifies human rights as these are related to legal traditions and to the essential needs of every person**
- **examines U.S. international human rights policy**
- **analyzes four critiques of U.S. policy**
- **compares and evaluates different judgments about what U.S. international human rights policy should be**

SP 013 185

A unit "in process" prepared by Helen Garvey, SNJM.
Your suggestions and criticisms are welcome.

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INTERNATIONAL HUMAN RIGHTS - A TEACHER'S PROBLEM

* The Coalition for Human Rights in Chile asks to come and talk to your class.
* Bread for the World wants you to encourage your students to write to Washington to support the Right to Food Act.
* This morning's paper writes that U.S. criticism of the denial of human rights in the Soviet Union may jeopardize the SALT Talks and progress toward arms control and disarmament.
* Students have just come in and complained that the dean told them to clean their lockers. How could he know what their lockers were like inside? Haven't they a right to privacy?
* Because of measures on the 1978 California ballot, students are talking about the rights of homosexual teachers and the right to clean air for those who object to smoking in public places.
* The country was "taken aback" by Alexander Solzhenitsyn's criticism of America's failure of nerve and its inability to meet the challenge of human rights in the modern world.
* Next semester, the question of the self-determination of peoples will come up when you teach African studies.

Human rights concepts play an important role in current U.S. foreign policy. There is strong support for the general idea that advancing human rights ought to be a guiding purpose in the international affairs of our country. But there is a great deal of disagreement, uncertainty, and confusion about human rights concepts and about how they should be implemented in U.S. foreign policy. "International Human Rights and U.S. Foreign Policy, for senior high and undergraduate students, seeks to explore the differing perspectives on those ideas and on the costs and problems involved in making human rights an active concern in our country's international relations.

Classroom exploration of international human rights are made difficult by the plethora of meanings given to the term, right; the confusion resulting from a lack of clarity about what is a right, what is a need, and what is a want; and, by the hidden agendas of some human rights groups calling for government action.

"International Human Rights and U.S. Policy" helps students define and identify rights as these are related to our legal traditions and to the essential needs of every person. It examines U.S. international human rights policy and analyzes four perspectives on that policy as these arise out of four different points of view. The unit assists students in comparing and evaluating these different judgements about what U.S. international human rights policy should be.

THE SETTING

One of the most significant developments in U.S. foreign policy is the decision on the part of the Carter Administration to make an "active concern" for human rights a central element in our country's relations with other nations. Within our country there are both critics and supporters of this policy thrust. The question is not, "Are human rights important?" Rather, the arguments center on:

A. What should be defined as a "human right";
B. Whether there is a necessary distinction between human rights and human needs;
C. What other values may conflict with human rights in our foreign policy objectives and how should those conflicts be resolved; and
D. Whether the U.S. can and should intervene in the relation of other governments to their own people, and if so, what means are appropriate.

UNIT GOALS

"International Human Rights and U.S. Policy" is designed for use in senior high school and junior college classes. Its purpose is to help students examine some critical questions in U.S. foreign policy as these relate to international human rights and the role of the U.S. in the pursuit and protection of them. Goals of the unit are:

1. To identify several uses of the term, right, and examine how this term is used in discussions of U.S. foreign policy.
2. To compare and contrast the Bill of Rights and the U.N. Universal Declaration of Human Rights in their histories, content, legality, and universality.
3. To explore the relation of natural law concepts to current arguments about human rights.
4. To consider the balance between rights of the individual in the community and her/his duties to that political community.
5. To examine U.S. international human rights policy and the arguments of critics and supporters.
6. To identify the values that underlie the competing positions on U.S. international human rights policy.
7. To recognize propaganda and to reject simplistic arguments.
8. To appreciate the difficulties involved in working to protect and achieve human rights and the obligation to continue working to advance the cause of respect for human dignity in the world.

INTERNATIONAL HUMAN RIGHTS AND U.S. FOREIGN POLICY

Overview

Part I - "Rights and Rights"

Clarifies the many uses of the term right (morally required, entitlement in the law, contract and obligation, custom, etc.). It then examines the defintions of rights as these relate to the political community.

Part II - "Key Documents"

Compares and contrasts the U.S. Bill of Rights and the U.N. Universal Declaration of Human Rights. The first is important as the legal framework for the pursuit and protection of rights within our country and the second, as a list of goals posited for the nations of the world.

Part III - "Rights and Duties"

Looks at human rights not as a new concept but sees the ideas involved at the center of thousands of years of political theory and religious teaching. The basis for the study is Pacem in Terris, a modern-day document that justifies human rights on the basis of "natural law" and religious beliefs. (Some teachers may wish to replace this document with examples of writings from the Enlightenment.) Included in this section is the other half of the rights question—duties to society.

Part IV - "U.S. Policy - What is It?"

Examines U.S. policy by looking at what the Department of State says it does and at some objections to that policy. Some challenges to the D of S from those who say that government actions differ from stated policy is also included.

Part V - "U.S. Policy - What Should It Be?"

Takes the students through a role-playing experience presenting four different points of view on what U.S. international human rights policy ought to be.

Part VI - "Analyzing the Perspectives"

Compares the different judgements of what U.S. policy ought to be and measures these against present policy.

Part VII - " What Do You Think?"

Suggests alternative processes for evaluating student learning.

PART I - RIGHTS AND RIGHTS

For the Teacher

Often discussions on international human rights and U.S. policy become confused and are non-productive because of a failure to distinguish the many uses of the term, "right". Part I is designed to help students identify the various meanings of "rights" and come to know that in order to understand a right, one must know the source of the rights. It is also important to recognize that rights are relational—a right for one person will require something of others. Students will examine four categories of rights that are important in discussing international human rights and in understanding the two documents used in this unit—the Bill of Rights and the Universal Declaration of Human Rights. The following clarifications and explanations may be helpful to you in guiding the discussions for Part I.

Rights: What are they? Whence they? Who's responsible?

Rights can be defined as a "power or privilege which one may justly claim as one's own, i.e. to which one is particularly entitled". Rights can range from something so mundane as the right to no homework on Friday nights to the right to freedom of the press, to the right to adequate food. We can get very confused in discussions on rights if we stop at the definition only. We have to ask a second question, "Where does one get the right? What is its source?"

If students are asked to show why they should not have homework on Friday, they will probably respond that "in this school, no teacher ever gives homework over the weekend." The source is custom. Or they may remind the teacher that at the beginning of the year, they agreed that they would complete homework assignments during the week and the teacher agreed that s/he would then not give homework on Fridays. The source of the right, then, is a contract.

Recently, several newspaper reporters have been jailed because they refused to reveal the sources of their stories. They argue that they should not be required to reveal their sources based on the Bill of Rights, i.e. freedom of the press. The source of their right is the law. Their cases will be argued on interpretation of the law.

Few would argue with the statement, "Everyone has the right to sufficient food for an adquate diet." Many citizen groups are lobbying for a "Right to Food Act" in the Congress. What is the source of this right? It comes from a moral imperative based on a the perception of the dignity of the human person which requires provision for basic needs, i.e. food, clothing, etc. While few would argue against a right to food, there are many different judgements about how this need is to be fulfilled.

Once rights have been identified and their source clarified, the next question is "how is a right experienced or enjoyed?" Rights are not held in isolation from others. A right always implies that someone else is obliged to do or not do something. The students' right to no homework on Friday requires that the teacher not assign it. The right of freedom of the press requires that the government not pass laws that infringe upon this freedom. The right to food is a basic need required because of one's status as a human being. It is a moral obligation held against others (in some cases individually, in other cases as members of the community) and against institutions in society to distribute the communities resources so that all may have sufficient food. (You may run into some confusion on this last point if there is not a distinction made between needs that can be fulfilled and "wants" that are infinitely expandable.)

In class discussions, students should come to understand that it is not sufficient to claim a right but that to enjoy that right, its source and those against whom the right is held must be identified.

In the next section is a brief clarification of the two sources of rights important in international human rights and the two lists of rights found in the Universal Declaration of Human Rights.

Two Sources and Two Lists

Two Sources: Legal and Moral

In discussions of human rights within the context of the individual and her/his relation to the political community, two authorities are generally cited as proof and/or justification for claiming these rights. A right is proven to exist if it can be found in the legal statutes of a country or in international law. But not all rights are (or should be) enacted into law. In this case, the right is justified as being what is morally right, i.e. what ought to be.

Legal Rights

Legal rights are those existing in the laws of a particular country or in international law. To find out if something is a "right" in this sense, all that is needed is to show that it is, in fact, embodied in law and that some agency is charged with the protection/assurance of that right (e.g. the judicial branch of the U.S. government must ensure the right to a fair trial).

Moral Assertions

"What is it that this individual or group ought to have?" - "It is right that..." A response to the question above or the completion of the sentence that follows identifies a right that is justified on moral grounds. This justification can be based on a rational examination of the human person (every human being has a right to freely choose and practice a religion); the dignity that should be given the individual (no human being should be subject to cruel or inhuman treatment); or on human needs (everyone has the right to sufficient food to live a normal and productive life). Rights can also be justified by religious beliefs and values. ("If we look upon the dignity of the human person in the light of divinely revealed truth, we cannot help but esteem it far more highly..."Pope John XXIII in Pacem in Terris).

Moral rights should once again be divided into those rights some individuals have (as a parent, I have the right to know what goes on in this house! —not all are parents) and those rights that can be universally applied (freedom of speech, fair trial, education, food, etc.). Some moral rights are written into the laws of countries and hence are also legal rights. On the other hand, in some political communities, laws may run counter to moral rights.

Two Lists: Civil and Political, Social and Economic (as found in the U.N. Universal Declaration of Human Rights)

The Carter Administration defends the legitimacy of its active concern for the human rights of people in other lands on the U.N. Charter, the Universal Declaration of Human Rights and other international and regional instruments and resolutions. The Universal Declaration is a listings of rights approximately half of which come under the category of civil and political rights. The other half, often referred to as "human needs", have come to be called economic and social rights.

Article 55 of the U.N. Charter stipulates that the U.N. "shall promote respect for, and observance of, human rights and fundamental freedoms". The next article states that "all members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55". One of the first tasks of the U.N. Economic and Social Council in 1946 was the creation of the Commission on Human Rights. Its mandate was to submit to the General Assembly recommendations and reports regarding an "international bill of rights". This was the genesis of the Universal Declaration of Human Rights.

However, the Universal Declaration, proclaimed to the world on December 10, 1948, was not a "bill of rights". It was a manifesto, a standard of achievement toward which the nations of the world agreed to work. The Commission was then given the task of preparing a legally binding document.

Because of the inability to reconcile the differences inherent in the two listings of rights and the manner in which these can be made legally binding, two covenants were prepared. These are the Covenant on Civil and Political Rights and the Covenant on Social and Economic Rights. (As of this writing neither of these documents has been signed by the United States or a majority of the U.N. membership.) These two lists reflect ideological differences between the socialist and communist countries and the Western nations.

Civil and Political Rights

Initially the Western nations envisaged a world bill of rights set in the context of Western democratic traditions. This tradition is based on its Judeo-Christian heritage and on the Enlightenment, which itself harkens back to antiguity. The focus is the individual in society. (The U.S. Bill of Rights, which limits the power of government over the individual, is an example.) Civil and political rights (freedom of speech, religion, fair trial, privacy, etc.) require relatively simple enactments of law, and because they are specific and clear, the law can be enforced, violations recognized and punished.

Western thought and practice recognizes the importance of building a society where all would have sufficient food, healthcare, education, cultural enjoymnet, etc. These are generally looked upon as needs rather than rights—goals toward which the society should work. To make the government the guarantor of these "rights", most Western thinkers believe, would endanger political liberties and extend, rather than limit, the power of government over the individual. These needs, set in the context of goals, are the responsibility of several sectors of the community and many of its social institutions.

Social and Economic Rights

The Soviet Union led the fight to include social and economic rights in the Universal Declaration. Communist governments concentrate on providing social security, free health services, education and guaranteed employment, etc. to their people. Following Marx, they say that rights belong not to individuals but to societies and communities. While in the U.S. minority groups argue that rights should not be denied them because they belong to a specific group, the Soviet Union would argue that because a person is a member of the society (or the collective), s/he should have certain rights. This line of argument goes back to Hegel and Marx.

> Hegel admitted a concept of rights, but one so transformed that it turned Locke's theory inside out by maintaing that rights belong not to individuals but to societies and communities. His influence was strong. The Declaration of Rights proclaimed by the nationalist German liberals in 1848 was Hegelian, not Lockian: whereas the American and French declarations had asserted the rights of man, the German manifesto spoke instead of "the rights of the German people." [emphasis added]
>
> ...Marx regarded the notion of the rights of man as a bourgeois illusion; he was opposed to the individualism which underlies the classical doctrine of rights—and by individualism he meant the belief that each particular human person is a unit and an end in himself. Marx believed in humanity, in the whole collective mass of humankind, and he argued that this humanity would come into its own when men ceased to think and feel as individuals with separate inalienable rights. *

The enjoyment of social and economic rights requires, not the enactment of laws covering specific actions, but rather that the government organize and control the resources of the country so as to provide for the needs of the people.

However, in spite of Marx's judgement, the constitutions of the communist countries do recognize civil and political liberties (speech, the press, assembly, etc.). But these are subordinate to the welfare of the collective and are to be used for the good of the collective, not against it.

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*Maurice Cranston, What Are Human Rights? New York: Basic Books, 1962. pp. 5-6.

Objectives

1. The students will identify many uses of the term rights.
2. The students will demonstrate an understanding of the sources of rights and the relational character of rights.
3. The students will distinguish civil and political rights from social and economic rights.

Process

1. Help students prepare a list of rights by completing the following sentences:

   A. I have a right to...
   B. Every human being should have...
   C. It is right that...
   D. An American citizen has a right to...

2. Introduce the students to the "Understanding Rights" chart (See Appendix A).

   A. Part 1 - make a list of rights.
   B. For Part 2, "Sources of Rights", have students tell whether the right exists because of contract (agreement), law, custom, or moral imperative (a particular person ought to have the right or every person ought to have the right).
   C. Part 3, "Others Involved"asks students to list other person(s) or social institutions that must do or not do something.

3. Summarize this section by explaining to the students that in international affairs, there are two sources for rights — law and moral obligation (a conclusion reached as the result of considering the value and dignity of the human person, i.e. what ought to be.) Ask students to identify the legal and the moral rights on their charts.

4. Have students give more examples of legal and moral rights. Then help them recognize that some moral rights are incorporated into laws and then are both legal and moral rights; that some laws may go against moral rights; and, that some moral rights do not require the action of government(other means than law, other institutions in the society can assure the right.).

5. Give students a brief introduction to the U.N. Universal Declaration of Human Rights. (See Appendix B)

   A. Give students copies of the Universal Declaration and direct half of the class to list the rights found in articles three through twenty-one and the other half to list those found in articles twenty-two through twenty-eight.

      (Articles three through twenty-one list civil and political rights while twenty-two through twenty-eight list social and economic.)

B. Tell students that the Universal Declaration is not a legal document but rather a proposed list of goals toward which the nations of the world should work.

Show students that half the class listed civil and political rights while the other half listed social and economic.

Follow this with a brief explanation of the differences in these two lists of rights.

PART II: KEY DOCUMENTS

For the Teacher

In this section, we will take a look at two key documents in the discussion of human rights and U.S. foreign policy — the Bill of Rights and the U.N. Universal Declaration of Human Rights.

- The Bill of Rights illustrates the tradition out of which Americans understand rights in the political community and embodies the American ideal which serves as foundation and justification for U. S. involvement in international human rights.

- The Universal Declaration, although not a legal document, is a formal recognition of the existence of human rights by the nations of the world.

See Appendix C for comparision of the two documents.

Objective

The students will make a comparison of the Bill of Rights and the Universal Declaration of Human Rights including the history, content, focus, applicability and significance of each of the documents.

Process

1. Alternative approaches - Teachers may wish to develop the comparison by:

   A. Giving a lecture based on the "Comparison of Key Documents" found in Appendix C, or

   B. Providing copies of the comparison and conducting a classroom discussion on its content, or

   C. Assigning students the following research questions:

      1. Write a brief paragraph on the drawing up of the Bill of Rights and one on the development of the Universal Declaration (dates, key actors, origins).

      2. Is the document a legal one? How is it enforced?

      3. What are the rights listed in each of the documents? What are the central ideas?

      4. Who has benefited from the document? Has either of the documents changed society?

      5. What do you believe is the greatest significance of each of the documents?

2. Teachers may want to have students discuss the following question:

> The Universal Declaration of Human Rights is not a legally binding document. Rather it is a standard of achievement toward which all the nations of the world should work. Is the Declaration simply a piece of paper or does it have meaning in our world today?

PART III - RIGHTS AND DUTIES

For the Teacher

In the western tradition, human rights, formerly referred to as the Rights of Man, were justified on the basis of "natural law" (i.e. a recognized moral responsibility based on a law higher than that of human institutions or that can be deduced from reason examining the requirements and rights of human nature). A summary of Pacem in Terris provides the basis of class discussion on rights and duties justified according to natural law. This document was chosen because it is recent (written in 1963, the fifteenth anniversary year of the Universal Declaration of Human Rights) and because it has been accorded worldwide recognition as a key document in human rights. (Some teachers may wish to substitute other materials,not from a religious source, e.g. the writings of Locke, Rousseau, Jefferson, etc.)

Objectives

1. The students will demonstrate an understanding of the arguments for human rights based on natural law.
2. The students will discuss the relationship of rights and duties in society, recognizing that individuals have both rights in the community and obligations to the society, other individuals and groups in the society.

Process

1. Give students copies of "Pacem in Terris - A Summary" (Appendix D). Go over the brief explanation of the document.
2. Ask students to identify the rights that Pope John XXIII lists. What are the duties? What is the source of these rights and duties?
3. Have students respond to the following questions:
   A. If you moved to another planet and wanted to set up a government, what advice does Pacem in Terris have for you?
   B. As an individual, you are trying to determine what are your rights and responsibilities vis-a-vis government. What does Pacem in Terris say to you
      1) if you are living in a democratic system?
      2) if you are living under a dictatorship or a totalitarian government?

PART IV - U.S. POLICY - WHAT IS IT?

For the Teacher

The Carter Administration has "made an active concern for human rights throughout the world a central part of U.S. foreign policy." To help students examine this policy, three Department of State documents are used along with a sheet titled, "Some Problems with Policy". The documents are:

"Human Rights Policy", a speech given by Secretary of State Cyrus Vance on Law Day before the University of Georgia Law School, April 30, 1977.

This speech, given shortly after the Carter Administration took office defines what the U.S. means by "human rights", gives a justification for policy, and an overview of what the Carter Administration will do.

"U.S. Human Rights Policy" GIST, January 1978. GIST is a quick reference aid summarizing policy.

"The Diplomacy of Human Rights: The First Year", a speech given by Deputy Secretary Warren Christopher before the American Bar Association, February 13, 1978.

This is a report on the first year of the Carter Administration's international human rights efforts.

* For additional materials, write to Department of State, Bureau of Public Affairs, Washington, DC 20520.

Objectives

1. The students will summarize human rights and U.S. foreign policy as this was explained by the State Department.
2. The students will measure these statements against criticisms made by those outside the Department of State.

Process

1. Three alternatives suggested:
   A. Alternative 1 - Have students (individually or in groups) read through the Department of State documents (Appendix E) and find answers to the following questions:
      1) What are the three categories of rights identified in the documents?
      2) What documents does the U.S. cite as justification for its international human rights policy?

3) Is there a justification for such a policy found in U.S. history and tradition?

4) What methods and procedures does the U.S. use in its international human rights diplomacy?

5) What criteria is used in making decisions?

6) What problems were met in the first year? What are the successes of the Carter Administration's efforts to make human rights an active concern of U.S. policy?

B. Alternative 2 - Divide the class in groups and have certain students prepare answers to each of the questions above and present their findings to the class.

C. Alternative 3 - The teacher may wish to prepare a lecture using the documents and questions above.

2. Using the sheet, "Some Problems with Policy" (Appendix F), conduct a class discussion, examining each of the criticisms and speculating how a State Department official might answer them. Have students make a list of problems encountered in implementing an active concern for human rights in U.S. foreign policy.

PART V - U.S. POLICY - WHAT SHOULD IT BE?

For the Teacher

What is your judgement? (check one)

_____1. The U.S. should make forwarding human rights the primary policy objective in its foreign policy.

_____2. Human rights should be an important policy objective in U.S. foreign policy.

_____3. Human rights objectives in U.S. foreign policy should be pursued only when no other important policy objective is jeopardized.

_____4. The nations of the world have different histories and cultures and often competing concepts of "rights". To carry out human rights objectives in U.S. foreign policy means that the U.S. must force other nations to implement policies contrary to their religious and cultural values. Human rights goals should not be an integral part of U.S. foreign policy.

The Carter Administration has checked one of the above as have a number of other groups and individuals in the country. Some groups, operating on divergent ideologies have checked the same response. The critical questions to be asked are: What do you mean when you say "human rights"? and, How is the policy to be carried out?

What do you mean when you say "human rights"?

Some will say:

> The language and concepts of human rights cannot be restricted to the traditional North Atlantic civil and political liberties, nor to the question of government in its relationship to individuals. "Human rights" must include those fundamental claims to food, work, medical care, education, and culture that are primary requisites of a <u>human</u> life.

Others will hold:

> The language and concepts of human rights should be reserved to the arena of political and civil liberties. Other language and concepts will serve us better in seeking to meet the basic needs of human beings.
>
> There is a difference between the essential goals of any enlightened political community, and identifying those goals as entitlements to be delivered primarily by government under the rubric of "human rights". Governments may not be the best way to reach those goals. Giving government this power may be a serious encroachment on the civil and political liberties that define a democratic society.

How will this policy be carried out?

The Carter Administration, as well as the various groups that have lobbied for or against a human rights policy in our international relations, will respond to this according to their perception of the U.S. and its role in world affairs.

In Part V, students will be divided into four groups, each role-playing a non-governmental group that is lobbying for or against the Carter Administration's human rights policy. The four groups are identified by color. (Appendix G).

RED represents the conservative, anti-communist perspective in our country. Its lobbying focus will be the Soviet Union and the U.S. human rights agreements with the Eastern European countries in the Helsinki Meetings.

GREEN an activist, left-liberal group that focuses its attention on the U.S. as imperialist and on the right-wing dictatorships receiving economic and military assistance from the U.S. This group will have sympathy for the "economic miracle" of China and for the efforts of Castro in Cuba.

ORANGE maintains a healthy respect for the sovereignty of governments within their own national boundaries and believes that, because human rights are neither commonly accepted nor understood, a human rights emphasis in U.S. foreign policy is unwise. It may lead to a crusading spirit and ultimately to the use of military force to implement it. An emphasis on human rights will jeopardize peace, national security, trade and jobs, and the value of the dollar, and the stability of governments that would be replaced by worse governments if weakened.

BLUE a group that sees America as both part of the problem and part of the solution to the problem. This group focuses on civil and political rights. It regards meeting human needs as goals toward which societies must work. It believes that (a) due process rights and civil liberties are more simply enacted into law and are enforceable while social and economic rights require long range objectives (by both government and other social institutions), and access to resources and wealth; and, (b) there is little evidence (in fact there is much evidence to the contrary) that governments that place social and economic rights first on their agendas have then moved to promote civil rights or have done as well in meeting human needs as those governments that do have civil and political rights.

A REMINDER - Just as in our society, groups lobbying for given policies do not all address the same question, so the positions offered here are not "balanced" in that they do not all deal with the same problems. The purpose of such groups is to convince others to join in their cause. They are not so much interested in debating each other as in trying to focus the questions in their own terms and in getting others to support their position. However, this does not mean that they simply ignore the other positions.

Objectives

1. The students will examine four points of view on what U.S. international human rights policy could be.

2. The class will prepare four written statements representing the positions of each of these four groups.

Process

1. Divide the class into four groups. Tell them that each group will represent a group lobbying the U.S. Department of State vis-a-vis U.S. international human rights policy. The groups are identified by color (red, green, orange, blue).

2. Give each student a copy of U.S. Human Rights Policy, GIST (January, 1978) - See Appendix E. Also give each student a copy of the position of the group to which s/he is assigned. (Appendix G).

3. Direct the students to

   A. Examine the position of the group they represent by answering the questions on the Study Sheet (Appendix H).

   B. Prepare a written statment representing the position their group represents. Directions are included on the role-playing sheets.

   While the groups are preparing their statements, circulate among them to make sure that they understand the judgements and arguments of the various points of view and that they represent the lobbying group, not their own positions.

4. Give students time to probe the implications of each part of the chart. Encourage them to consider what is wise and effective policy as well as what is presently feasible.

PART VI - ANALYZING THE PERSPECTIVES

For the Teacher

So often in dealing with political issues, students only hear the "pro's" and "con's" —and more often than not, these represent the extremes. In this unit, a range of views are presented so that students come to understand that (a) there are many proposed solutions to problems as well as perceptions of what the problems are, and (b) groups representing different political ideologies and values can agree on a policy goal but will then differ on the manner in which the policy is implemented (or even the interpretation of what the goal means).

Part VI examines U.S. international human rights policy and the positions of four different lobbying groups (these latter prepared by the students in Part V). It then takes a look at consequences and values.

Reminder —it may be important,at this point, not to push students into making choices—ones that they will have to defend. Perhaps it is better to let them stay in "limbo" for a while, keeping an open mind. It can happen that students are encouraged to act on decisions that they cannot truly defend with their heads as well as with their hearts and visa versa.

Some students may, indeed,take a position. Help them review their decision by playing the "devil's advocate" and challenging their assumptions and judgements. Let your challenge take the character of clarification and encouragement to dialogue rather than confrontation.

Objective

The students will compare and contrast the international human rights positions of four non-governmental groups and the official U.S. policy.

Process

1. Duplicate the statements of the four groups prepared in Part V. Each student should have a copy of each of these statements and a copy of the U.S. position (used previously, GIST, January 1978).

2. Give students opportunity to ask clarification questions of each other. Try to steer the students away from arguing specific points.

3. As a class project, fill in a chart (use of a chalkboard or large sheet of paper will be necessary) with the following information:

   A. List the U.S. Government and the lobbying groups (red, green, orange, blue).

   B. For each of these, fill in columns with the headings: actions proposed; possible consequences; what is protected; what is ignored.

4. Give students time to probe the implications of each part of the chart. Encourage them to consider what is wise and effective policy.

PART VII - WHAT DO YOU THINK?

For the Teacher

This section is designed to help students put together what they have learned in the unit. When students pick up a newspaper and read an article on international human rights, will they ask: How is human rights defined?; What kind of rights are they talking about?; What are the consequences of the actions suggested?; Who will benefit from the actions suggested?; What do I think about it?

Objective

The students will demonstrate an understanding of the content of international human rights issues and the ability to examine an international political issue.

Process

1. Alternative A - Essay test. Some possible questions are listed below:
   A. What is meant by a legal right? What is meant by a moral right?
   B. Give five examples of civil and political rights. Give five examples of social and economic rights. Briefly describe the significance differences between these two lists of rights.
   C. In what ways are the U.S. Bill of Rights and the U.N. Universal Declaration of Human Rights alike? In what ways do they differ?
   D. List five rights we enjoy in our society. What are the duties go along with them?
   E. Write a brief essay: Difficulties that the U.S. faces in developing an international human rights policy.

2. Alternative B - An evaluative assignment. Have students (individually or in groups) prepare recommendations to the State Department on U.S. international human rights policy. These could be done under several different formats, for example:

   A. A letter addressed to the Secretary of State from a concerned citizen.

   B. A recommendation to the Secretary of State from a policy maker within the U.S. Human Rights and Humanitarian Affairs Office of the Department of State. This should deal with one or two specific issues.

   C. A tape recording of a speech (given by student) who wants citizens to take certain kinds of action re international human rights.

   The recommendations should include a statement of the problem or issue; a clear answer to the question - what should the U.S. do; and, arguments to convince.

UNDERSTANDING RIGHTS

1. A List of Rights	2. Sources of Rights	3. Others Involved
Example:		
A. No homework on Fridays	A. Contract: teacher and students	A. Teacher
B. Freedom of the Press	B. Bill of Rights	B. U.S. Government
C. Right to Food	C. A basic human need	C. Farmers, food distributors, government, neighbors, Churches, employers (adequate wage) etc. etc.

Appendix A

Universal Declaration of Human Rights

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and the security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each State.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without inteference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone one has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

BILL OF RIGHTS

1. 18th century document out of the Enlightenment. The focus is on the rights of individuals in society. Arguments were based on Natural Law.

2. A legal document, which along with the U.S. Constitution, makes specific civil and political rights the law of the land.

3. Rights of the person (freedom from arbitrary arrest, torture, etc.) are safeguarded and civil liberties (freedom of the press, religion, etc.) assured. (Minority rights in this country have used this document claiming that because a person is a member of such and such a minority, s/he should not be deprived of specific rights.)

4. However, history shows that not all enjoyed these rights once they were delineated in the Constitution and the Bill of Rights. Rather history recounts the story of the expansion of rights to more and more people because they claimed their rights, finding the authority and justification in these documents.

5. The Bill of Rights has been a central and key document in U.S. history. It is a "working" document and, along with the Constitution, provides legal channels for the protection and promotion of rights.

U.N. UNIVERSAL DECLARATION OF HUMAN RIGHTS

1. Conceived of by the Western Nations after World War II as a World Bill of Rights. But as it developed in the U.N. it reflected two strains of thought that seen in the two listsof rights : Western tradition (Judeo-Christian heritage and Enlightenment) that center on individual rights; and 19th century Hegelian and Marxist influence that proclaimed the "rights of people", i.e. making the welfare of the community the standard.

2. The document is a manifesto. It has no power of enforcement and no legal authority supporting it. Two legally binding instruments (covenants) were to be completed and signed by the nations. These were the Convenant on Civil and Political Rights and the Covenant on Social and Economic Rights. The Covenants are not yet in force.

3. The document deals with a plethora of rights—both civil and political rights, and social and economic rights. It is essentially a list of goals toward which the nations should work. There is no hierarchy of rights indicated and the enjoyment of many of these rights for some would infringe upon the rights of others.

4. December 10, 1948, is an important date in history because on this day, the nations of the world formally recognized the "legitimacy" of human rights. But the fact that few people in the world today enjoy most of the rights mentioned is not encouraging.

5. The Universal Declaration is a positive contribu- to the human family because it does set "a common standard of achievement for all peoples and all nations" and which affirms "faith in fundamental human rights" and the dignity and worth of the human person.

Appendix D

Pacem in Terris - A Summary Sheet

A few months before his death in 1963, Pope John XXIII wrote a letter address "to all men of good will." It was titled "Pacem in Terris" (Peace on Earth.) Both because of its content and because it was written during the fifteenth anniversary year of the U.N. Universal Declaration of Human Rights, the letter is germane to a discussion of international human rights.

After a brief introduction, the letter is divided into four parts and is concluded with pastoral exhortations. Part One focuses on the rights and duties of the individual in society. The Pope argues that certain rights are due the individual precisely because s/he is a person. Duties are the other side of the coin of rights. This line of justification of human rights demonstrates the argument based on "natural law"—the assertion that there is a law higher than that of governments or social institutions. Pope John adds that this law is founded not only on reason alone but also grounded in religious beliefs and values.

Having laid the foundation in the individual rights of the person , Pacem in Terris, in Part Two, addresses questions of relations between individuals and public authority. Part Three examines the relations between States and Part Four, the relationship of and political communities with the World Community. The letter concludes with pastoral exhortations and advice. In this summary sheet, only Part One and Part Two will be studied.

Part One - Order Between Men

Rights

Natural Law - "Any human society, if it is to be well-ordered and productive, must lay down as a foundation this principle, namely, that every human being is a person, that is, his nature is endowed with intelligence and free will. Indeed, precisely because he is a person he has rights and obligations flowing directly and simultaneously from his very nature. And as these rights and obligations are universal and inviolable so they cannot in any way be surrendered.

(PT, para. 9)

Religious beliefs and values - If we look upon the dignity of the human person in the light of divinely revealed truth, we cannot help but esteem it far more highly; for men are redeemed by the blood of Jesus Christ, they are by grace the children and friends of God and heirs of eternal glory.

(PT, para. 10)

Categories of rights - as listed in the letter.
- Right to life and a worthy standard of living.
- Right to respect of person, good reputation, freedom in searching for truth and in expressing and communicating opinions, to be informed about public events.
- Right to share in the benefits of culture (education, professional training).
- Right to worship God according to one's conscience.
- Right to choose freely one's state in life and to direct the growth and education of their children.

- Right to work and to go about this work without coercion, proper working conditions, right to own private property.
- Freedom of assembly and association.
- Right to emigrate and immigrate.
- Right to take an active part in public affairs and entitlement to judicial protection of his rights.

Duties

Natural Law - "The natural rights with which we have been dealing are, however, inseparably connected, in the very person who is their subject, with just as many respective duties; and rights as well as duties find their source, their sustenance and their inviolability in the natural law which grants or enjoins them.

(PT, para. 28)

Relation of rights to duty - "Therefore, to cite a few examples, the right of everyman to life is correlative with the duty to preserve it; his right to a decent standard of living with the duty of living it becomingly; and his right to investigate the truth freely, with the duty of seeking it ever more completely and profoundly.

Once this is admitted, it also follows that in human society to one man's right there corresponds a duty in all other persons: the duty, namely, of acknowledging and respecting the right in question. For every fundamental human right draws its indestructible moral force from the natural law, which in granting it imposes a corresponding obligation. Those, therefore, who claim their own rights, yet al - together forget or neglect to carry out their respective duties, are people who build with one hand and destroy with the other.

(PT, para. 29-30)

Part Two - Individuals and Public Authorities

Legitimacy and need - "Human society can neither be well-ordered nor prosperous unless it has some people invested with legitimate authority to preserve its institutions and to devote themselves as far as is necessary to work and care for the good of all. "

(PT, para. 46)

Exercise of authority - "...a civil authority which uses as its only or its chief means either threats and fear of punishment or promises of rewards cannot effectively move men to promote the common good of all. Even if it did so move them, this would altogether be opposed to their dignity as men, endowed with reason and free will. As authority rests chiefly on moral force, it follows that civil authority must appeal primarily to the conscience of individual citizens, that is, to each one's duty to collaborate readily for the common good of all.

(PT, para. 48)

Appendix E-1

GIST

—A quick reference aid on U.S. foreign relations primarily for Government use. Not intended as a comprehensive U.S. policy statement.

BUREAU OF PUBLIC AFFAIRS — DEPARTMENT OF STATE

US HUMAN RIGHTS POLICY — January 1978

1. Background: The Carter Administration has made an active concern for human rights throughout the world a central part of US foreign policy. Although human rights issues have been fundamental to American thought and action, they have not always been a systematic part of our policies toward other nations. As specific issues, human rights have been dealt with through the UN and the Organizatior of American States (OAS). Both the executive and legislative branches have responded to widespread public sentiment that our foreign policy should be more sensitive to human rights concerns. A positive policy offers hope to those whose rights have been denied. It also serves the national interest by reasserting American ideals as the foundation of our foreign policy, encouraging respect among nations for the rule of law in international affairs, and rebuilding domestic consensus in support of our foreign policy.

2. Definition of human rights: Our definition of human rights is based on our historical documents and experience, the UN Charter, and other international instruments. One of these, the UN Universal Declaration of Human Rights, approved by the UN General Assembly in 1948, recognizes basic human rights at the international level. The specific rights we pursue include:

   - Freedom from arbitrary arrest and imprisonment, torture, unfair trial, cruel and unusual punishment, and invasion of privacy;
   - Rights to food, shelter, health care, and education; and
   - Freedom of thought, speech, assembly, religion, press, movement, and participation in government.

3. Human rights and foreign policy: The US is seeking to integrate human rights considerations into its bilateral and multilateral relationships as a key element in decisionmaking. Other factors, including security and economic interests, continue to be important in defining our policy. We wish to develop a policy permitting a case-by-case approach to improve human rights situations in the most effective way possible. This policy, while concerned with progress on the full range of human rights, will continue to recognize differences among countries.

4. Domestic action: Executive branch initiatives and executive/legislative cooperative actions have included:

   - Removing travel restrictions for US citizens and liberalizing visa policies;
   - Appointing an Assistant Secretary for Human Rights and Humanitarian Affairs along with human rights officers in each bureau of the Department of State;
   - Creating an interagency committee to review human rights and foreign assistance issues;

E-2

The Secretary of State

Speech

April 30, 1977
Athens, Ga.

Bureau of Public Affairs
Office of Media Services

HUMAN RIGHTS POLICY

Secretary Cyrus R. Vance on Law Day before the University of Georgia Law School.

Dean Beaird, students, faculty and alumni of the University of Georgia Law School, distinguished guests: I am delighted to be here with you on Law Day. And I am honored by the presence of my friend Dean Rusk, a distinguished member of your faculty.

I speak today about the resolve of this Administration to make the advancement of human rights a central part of our foreign policy.

Many here today have long been advocates of human rights within our own society. And throughout our Nation that struggle for civil rights continues.

In the early years of our civil rights movement, many Americans treated the issue as a "Southern" problem. They were wrong. It was and is a problem for all of us. Now, as a Nation, we must not make a comparable mistake. Protection of human rights is a challenge for all countries, not just for a few.

Our human rights policy must be understood in order to be effective. So today I want to set forth the substance of that policy and the results we hope to achieve.

Our concern for human rights is built upon ancient values. It looks with hope to a world in which liberty is not just a great cause but the common condition. In the past it may have seemed sufficient to put our name to international documents that spoke loftily of human rights. That is not enough. We will go to work, alongside other people and governments, to protect and enhance the dignity of the individual.

Let me define what we mean by "human rights."

First, there is the right to be free from governmental violation of the integrity of the person. Such violations include torture; cruel, inhuman, or degrading treatment or punishment; and arbitrary arrest or imprisonment. And they include denial of fair public trial, and invasion of the home.

Second, there is the right to the fulfillment of such vital needs as food, shelter, health care, and education. We recognize that the fulfillment of this right will depend, in part, upon the stage of a nation's economic development. But we also know that this right can be violated by a Government's action or inaction—for example, through corrupt official processes which divert resources to an elite at the expense of the needy, or through indifference to the plight of the poor.

Third, there is the right to enjoy civil and political liberties—freedom of thought, of religion, of assembly; freedom of speech; freedom of the press; freedom of movement both within and outside one's own country; freedom to take part in government.

Our policy is to promote all these rights. They are all recognized in the Universal Declaration of Human Rights, a basic document which the United States helped fashion and which the United Nations approved in 1948. There may be disagreement on the priorities these rights deserve, but I believe that, with work, all of these rights can become complementary and mutually reinforcing.

The philosophy of our human rights policy is revolutionary in the intellectual sense, reflecting our Nation's origin and progressive values. As Archibald MacLeish wrote during our Bicentennial a year ago, "The cause of human liberty is now the one great revolutionary cause. . . ."

PR 194

President Carter put it this way in his speech before the United Nations:

". . . All the signatories of the United Nations Charter have pledged themselves to observe and to respect basic human rights. Thus, no member of the United Nations can claim that mistreatment of its citizens is solely its own business. Equally, no member can avoid its responsibilities to review and to speak when torture or unwarranted deprivation occurs in any part of the world. . . ."

Since 1945 international practice has confirmed that a nation's obligations to respect human rights is a matter of concern in international law.

Our obligation under the UN Charter is written into our own legislation. For example, our Foreign Assistance Act now reads: "A principal goal of the foreign policy of the United States is to promote the increased observance of internationally recognized human rights by all countries." In these ways our policy is in keeping with our tradition, our international obligations, and our laws.

In pursuing a human rights policy, we must always keep in mind the limits of our power and of our wisdom. A sure formula for defeat of our goals would be a rigid, hubristic attempt to impose our values on others. A doctrinaire plan of action would be as damaging as indifference.

We must be realistic. Our country can only achieve our objectives if we shape what we do to the case at hand. In each instance we will consider these questions as we determine whether and how to act:

First, we will ask ourselves, what is the nature of the case that confronts us? For example, what kind of violations or deprivations are there? What is their extent? Is there a pattern to the violations? If so, is the trend toward concern for human rights or away from it? What is the degree of control and responsibility of the Government involved? And, finally, is the Government willing to permit independent, outside investigation?

A second set of questions concerns the prospects for effective action. Will our action be useful in promoting the overall cause of human rights? Will it actually improve the specific conditions at hand? Or will it be likely to make things worse instead? Is the country involved receptive to our interest and efforts? Will others work with us, including official and private international organizations dedicated to furthering human rights? Finally does our sense of values and decency demand that we speak out or take action anyway, even though there is only a remote chance of making our influence felt?

We will ask a third set of questions in order to maintain a sense of perspective. Have we steered away from the self-righteous and strident, remembering that our own record is not unblemished? Have we been sensitive to genuine security interests, realizing that outbreak of armed conflict or terrorism could in itself pose a serious threat to human rights? Have we considered all the rights at stake? If, for instance, we reduce aid to a Government which violates the political rights of its citizens, do we not risk penalizing the hungry and poor who bear no responsibility for the abuses of their Government?

If we are determined to act, the means available range from quiet diplomacy in its many forms through public pronouncements to withholding of assistance. Whenever possible, we will use positive steps of encouragement and inducement. Our strong support will go to countries that are working to improve the human condition. We will always try to act in concert with other countries through international bodies.

In the end a decision whether and how to act in the cause of human rights is a matter for informed and careful judgment. No mechanistic formula produces an automatic answer.

It is not our purpose to intervene in the internal affairs of other countries, but as the President has emphasized, no member of the United Nations can claim that violation of internationally protected human rights is solely its own affair. It is our purpose to shape our policies in accord with our beliefs and to state them without stridency or apology when we think it is desirable to do so.

Our policy is to be applied within our own society as well as abroad. We welcome constructive criticism at the same time as we offer it.

No one should suppose that we are working in a vacuum. We place great weight on joining with others in the cause of human rights. The UN system is central to this cooperative endeavor. That is why the President stressed the pursuit of human rights in his speech before the General Assembly last month. That is why he is calling for U.S. ratification of four important human rights covenants

and conventions, and why we are trying to strengthen the human rights machinery within the United Nations.

And that is an important reason why we have moved to comply with UN sanctions against Rhodesia. In one of our first acts, this Administration sought and achieved repeal of the Byrd amendment, which had placed us in violation of these sanctions and thus in violation of international law. We are supporting other diplomatic efforts within the United Nations to promote basic civil and political rights in Namibia and throughout southern Africa.

Regional organizations also play a central role in promoting human rights. The President has announced that the United States will sign and seek Senate approval of the American Convention on Human Rights. We will continue to work to strengthen the machinery of the Inter-American Commission on Human Rights. This will include efforts to schedule regular visits to all members of the Organization of American States, annual debates on human rights conditions, and the expansion of the inter-American educational program on human rights.

The United States is seeking increased consultation with other nations for joint programs on economic assistance and more general efforts to promote human rights. We are working to assure that our efforts reach out to all, with particular sensitivity to the problems of women.

We will meet in Belgrade later this year to review implementation of the Final Act of the Conference on Security and Cooperation in Europe—the so-called Helsinki conference. We will take this occasion to work for progress there on important human issues: family reunification, binational marriages, travel for personal and professional reasons, and freer access to information.

The United States looks to use of economic assistance—whether bilateral or through international financial institutions—as a means to foster basic human rights.

- We have proposed a 20 percent increase in U.S. foreign economic assistance for Fiscal Year 1978.
- We are expanding the program of the Agency for International Development for "new initiatives in human rights" as a complement to present efforts to get the benefits of our aid to those most in need abroad.
- The programs of the U.S. Information Agency and the State Department's Bureau of Educational and Cultural Affairs stress support for law in society, a free press, freedom of communication, an open educational system, and respect for ethnic diversity.

This Administration's human rights policy has been framed in collaboration and consultation with Congress and private organizations. We have taken steps to assure firsthand contact, consultation, and observation when members of Congress travel abroad to review human rights conditions.

We are implementing current laws that bring human rights considerations directly into our decisions in several international financial institutions. At the same time, we are working with the Congress to find the most effective way to fulfill our parallel commitment to international cooperation in economic development.

In accordance with human rights provisions of legislation governing our security assistance programs, we recently announced cuts in military aid to several countries.

Outside the Government, there is much that can be done. We welcome the efforts of individual American citizens and private organizations—such as religious, humanitarian, and professional groups—to work for human rights with commitments of time, money, and compassion.

All these initiatives to further human rights abroad would have a hollow ring if we were not prepared to improve our own performance at home. So we have removed all restrictions on our citizens' travel abroad and are proceeding with plans to liberalize our visa policies.

We support legislation and administrative action to expand our refugee and asylum policies and to permit more victims of repressive regimes to enter the United States. During this last year, the United States spent some $475 million on assistance to refugees around the world, and we accepted 31,000 refugees for permanent resettlement in this country.

What results can we expect from all these efforts?

We may justifiably seek a rapid end to such gross violations as those cited in our law: ". . . torture, or cruel, inhuman or degrading treatment or punishment, or prolonged detention without charges. . . ." Just last week our Ambassador at the

United Nations, Andrew Young, suggested a series of new ways to confront the practice of torture around the world.

The promotion of other human rights is a broader challenge. The results may be slower in coming but are no less worth pursuing, and we intend to let other countries know where we stand.

We recognize that many nations of the world are organized on authoritarian rather than democratic principles--some large and powerful, others struggling to raise the lives of their people above bare subsistence levels. We can nourish no illusions that a call to the banner of human rights will bring sudden transformations in authoritarian societies.

We are embarked on a long journey. But our faith in the dignity of the individual encourages us to believe that people in every society, according to their own traditions, will in time give their own expression to this fundamental aspiration.

Our belief is strengthened by the way the Helsinki principles and the UN Declaration of Human Rights have found resonance in the hearts of people of many countries. Our task is to sustain this faith by our example and our encouragement.

In his inaugural address, three months ago, President Carter said: "Because we are free, we can never be indifferent to the fate of freedom elsewhere." Again, at a meeting of the Organization of American States two weeks ago, he said: "You will find this country. . . eager to stand beside those nations which respect human rights and which promote democratic ideals."

We seek these goals because they are right, and because we too will benefit. Our own well-being, and even our security, are enhanced in a world that shares common freedoms and in which prosperity and economic justice create the conditions for peace. And let us remember that we always risk paying a serious price when we become identified with repression.

Nations, like individuals, limit their potential when they limit their goals. The American people understand this. I am confident they will support foreign policies that reflect our traditional values. To offer less is to define America in ways we should not accept.

America fought for freedom in 1776 and in two World Wars. We have offered haven to the oppressed. Millions have come to our shores in times of trouble. In time of devastation abroad, we have shared our resources.

Our encouragement and inspiration to other nations and other peoples have never been limited to the power of our military or the bounty of our economy. They have been lifted up by the message of our Revolution, the message of individual human freedom. That message has been our great national asset in times past. So it should be again.

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The Department of State

Speech

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The Diplomacy of Human Rights: The First Year

Deputy Secretary Warren Christopher before the American Bar Association (ABA).

I am delighted to be here today among so many old friends. Last August, I had the good fortune of addressing the Gavel Awards luncheon at the ABA Convention. On that occasion I discussed the principles that guide one of the most important foreign policy initiatives of the Carter Administration—the human rights policy.

Today, after one year's experience with that policy, I would like to talk about how those principles have been put into practice, to talk about the diplomacy of human rights.

Before doing so, let me remind you that our policy concerns three categories of rights: the right to be free from governmental violations of the integrity of the person; the right to fulfill one's vital needs such as food, shelter, health care, and education; and civil and political rights.

In his inaugural address, President Carter set the tone for a foreign policy based firmly on our values as a Nation. "Because we are free," he said, "we can never be indifferent to the fate of freedom elsewhere." In this single sentence, from which so much has flowed, the President was expressing an old and sometimes ignored truth with new vigor.

Our strength as a Nation and our magnetism to the world at large are predicated on our commitment to human rights. It is only proper that the human rights considerations so important to our national life be reflected in our international life as well. This means they must be fully integrated into our diplomacy.

The pursuit of this cause is not an ideological luxury cruise with no practical port of call. Our idealism and our self-interest coincide. Widening the circle of countries which share our human rights values is at the very core of our security interests. Such nations make strong allies. Their commitment to human rights gives them an inner strength and stability which causes them to stand steadfastly with us on the most difficult issues of our time.

In this first year, I have been impressed by what a subtle, creative, and flexible process diplomacy can be in advancing the cause of human rights. Diplomacy is not just words, though words can be highly effective. It is also an impressive variety of intangible symbols and gestures, as well as tangible measures.

Diplomacy can be a rich mix, indeed. In the case of our human rights objectives, we have evolved a mix that is proving effective.

The primary ingredient of human rights diplomacy has a seeming simplicity: We frankly discuss human rights in our consultations with foreign diplomats and leaders. An obvious technique, yes. Just words, yes. But I must tell you that many of us have been amazed at its effectiveness.

Our strength as a Nation and our magnetism to the world at large are predicated on our commitment to human rights.

A career Foreign Service officer told me recently that until last January it would have been unusual for our Ambassador to raise with the

leader of another country, in face-to-face conversation, the fate of political prisoners. Our diplomats tended to shy away from direct high-level dialogue on such sensitive human rights issues.

That has changed. Time after time in the past year we have had such conversations. And very often these very frank discussions have led to beneficial results. Sovereign governments have reexamined conditions in their capitals and provinces, and releases of prisoners and other positive actions have followed.

When we raise human rights with another government, we take an affirmative stance. We explain that our people, our Congress, and our government are deeply troubled by the human rights abuses we believe to be occurring. And we ask for the other government's assessment of the situation and the prospects for improvement.

Sometimes, it is true, the response is truculent and defensive. Sometimes, we are charged with "intervening" in the internal affairs of another sovereign state.

But much more often, the response is a real effort to join issue on the merits. Frequently, there is candid acknowledgement of the validity of our interest—an interest rooted in solemn international agreements that make the way a government treats its own citizens a matter of legitimate international concern.

Just as frequently there is disagreement over the degree and the causes of the problem. It is often asserted, for example, that terrorism justifies repression. But usually these differences in perspective are overtaken by a consideration of possible improvements. By consideration, for example, of:

- Whether those held without trial, often incommunicado and for lengthy periods, can soon be released or at least charged and tried; or
- Whether the return to civilian rule can proceed on schedule; or
- Whether those responsible for mistreating prisoners will be prosecuted.

Sometimes we achieve explicit understandings on such issues. More commonly there is an implicit recognition of the need for improvement and for further consultations as the situation evolves. Either way, the raising of the issue has profound significance. Rather than being conveniently ignored, human rights abuses are brought to the center of the diplomatic interchange. There, they must be addressed.

I believe the almost geometric increase in world awareness of human rights issues is perhaps the major accomplishment of our human rights diplomacy. This new consciousness not only helps curb existing human rights abuses; it also acts as a deterrent to new violations.

The words of human rights diplomacy can effectively be joined with symbolic acts. For example, trips to other countries by our senior officials, and official invitations to the leaders of other nations to visit the United States, can be used to advance our human rights objectives. Such visits can mark our recognition that a country has an outstanding human rights record, or provide the opportunity to discuss human rights problems with the leader of a country where improvements are urgently needed.

. . . we are prepared to take tangible steps to recognize good human rights performance or to manifest our concern over human rights violations.

There are a host of other measures that can be used symbolically to send the desired signal, such as: cultural and educational exchanges; selection of the site of international conferences; the level of our representation at diplomatic events; port visits by our fleet. Carefully used, such symbols and gestures can help advance the cause of human rights.

There is also significance in our willingness to meet, on appropriate occasions, with opposition leaders from countries with serious human rights problems. My colleagues and I have met with a number of such leaders in Washington, including some who are living in exile from their homeland. And abroad, our ambassadors regularly meet with opposition leaders.

These meetings enable us to hear both sides of the story, to learn how a human rights problem is seen by those directly affected, and to demonstrate that we are concerned about all the people of the country involved, not just those in power.

Beyond private diplomatic discourse and important symbolic steps, the diplomacy of human

rights must sometimes include criticism of regimes implicated in serious human rights violations.

Public comment by our government is an official act that directs the attention of the entire world to the objectionable practices of another government. We believe that such criticism can have some inhibiting effect on such governments. We do not generally prefer this approach, but neither will we shrink from it.

Needless to say, public comment has been our first line of approach with respect to countries like Cambodia and Uganda, where we have little or no diplomatic contact, but yet where unspeakable violations of human rights are occurring as a matter of deliberate state policy. We deplore these policies. We hope other governments which have the contact that we lack can make known the extent of international concern and bring about improvements.

We have also, of course, spoken openly and forthrightly at the Belgrade meeting that has been reviewing implementation of the Helsinki Final Act. That document contemplates a full and frank review of whether the signatories have lived up to their human rights commitments. It is clear that the Soviet Union and the East European countries, in varying degrees, have not done so. We have not hesitated to say so publicly, to request an explanation, and to seek compliance.

Our comments and those of West European governments have helped sustain the Helsinki accord as a living force in the cause of human rights, an engine for keeping constant pressure on governments to respect the rights of their people. Our silence would have effectively permitted that force to fade away.

In speaking of our public efforts, I should note that we are actively using our public diplomacy tools such as USIA (United States Information Agency) to convey our human rights concerns to various nongovernmental audiences abroad. The Voice of America has increased its attention to these issues. Our embassies and offices abroad have organized seminars in which thoughtful Americans can directly express their human rights concerns to people from similar walks of life in foreign countries.

Our human rights initiative has given recognition and a new stimulus to the longstanding efforts of private nongovernment organizations in this field. We applaud these endeavors and recognize that over time they may well outdistance any government effort.

When our relationship with another government includes economic and military assistance, we are prepared to take tangible steps to recognize good human rights performance or to manifest our concern over human rights violations. When appropriate or necessary, in other words, we will support our words with actions. In taking such steps, we are guided and strengthened by important legislative provisions enacted by a Congress overwhelmingly committed to the cause of human rights.

Taking due account of the needs of the poorest, we have made a fundamental decision gradually to channel a growing share of our economic assistance to countries that respect the human rights of their people.

On the other hand, when countries we assist consistently curtail human rights, and where our preferred diplomatic efforts have been unavailing, we must consider restrictions on the flow of our aid, both overall levels and individual loans or grants. Thus, over the course of the past year we have, for example:

- Deferred bilateral economic assistance to certain countries;
- Opposed loans by the World Bank and the other international financial institutions to countries that engage in flagrant violations of human rights; and
- Taken steps to insure that food aid provided to countries with serious human rights problems will reach the needy.

We have also advised other departments of the government on human rights conditions abroad that may affect their activities. For example, a recently enacted statute calls for the Export-Import Bank to take human rights considerations into account, and the bank regularly seeks advice on this issue.

Human rights performance is also an important factor in our decisions on military assistance and commercial arms sales subject to government licensing. We have reduced or declined to increase our military aid to a number of countries and refused to issue licenses in a variety of instances.

The diversity of cultures and the different stages of economic and political maturity tend to produce agonizing, almost incredibly complex, choices in granting or withholding aid. Moreover, human rights, while a fundamental factor in our foreign policy, cannot always be the decisive factor. But the difficulty of the decisions will not deter us from supporting our words with action.

It is important to note that we are not alone in pursuing the diplomacy of human rights. Increasingly, other governments are standing with us. In the United Nations, in the Organization of American States, and in other contexts, we have strong partners in the cause of human rights. Recently, we initiated consultations with our West European allies and others on how to promote broader international cooperation in support of human rights. In general, we are finding strong support for giving human rights a higher priority in international relations.

As I reflect on the first year of human rights diplomacy, there is one area in which I would like to ask for the creative thinking and counsel of this great association. I refer to the need I perceive for an objective, authenticated data base on human rights conditions in all countries.

Let me put the problem in perspective. With the aid of our embassies around the world, we are constantly trying to gather reliable and extensive human rights data. Nevertheless, the validity of our information on human rights conditions in other countries is frequently challenged. Probably it is inevitable that the data collected by any one country would be suspect. Coverage is bound to be limited, and there may be the suspicion that the collecting country has an ax to grind.

What is needed is an objective, widely respected clearinghouse for human rights information on all countries of the world. This would be an important resource for us and others interested in taking human rights conditions in other countries into account in policymaking. It would thus both inform our decisions and authenticate the existence and severity of human rights problems.

Perhaps you will be able to suggest how such a clearinghouse might be created. It is clear that it must be international in scope. What is not so clear is whether it should be sponsored by a private organization or by a group of countries or an international organization. Once created, I could visualize that such an entity might also play an important educational role in improving human rights conditions around the world. We stand ready to help in creating such an organization.

What is needed is an objective, widely respected clearinghouse for human rights information on all countries of the world. . . . It would . . . inform our decisions and authenticate the existence and severity of human rights problems.

This, then, is a capsule view of the diplomacy of human rights. It is a diplomacy that refuses to "be indifferent to the fate of freedom elsewhere." It is a diplomacy that has permitted the United States to seize the initiative for human progress once again. Surveys conducted abroad have shown time and time again that the renewed interest in human values expressed by the President and implemented by our diplomatic efforts has had an enormously positive impact on the view people in foreign countries hold of America and our role in the world.

We are daily concerned with our government's response to human rights conditions in other countries. But our credibility—and indeed the inner health of our society—depends upon facing up to our problems here at home and seeking to improve our own human rights situation.

Much of President Carter's domestic program is directed toward the enhancement of the human rights of Americans. Proposals for welfare reform, efforts to cut the cost of health care, and the commitment to full employment are obvious examples. We should also note that within the past year travel restrictions for American citizens abroad have been eliminated and visa requirements for foreigners coming to this country have been significantly eased.

It is well to remember that we are far from perfect. Our ample due process with all its guarantees does not afford perfect justice. But whatever our shortcomings, they are faced frankly and openly. The three constitutional branches of government have the responsibility to do so. And the "fourth branch" is there to insure that that responsibility is met.

In making human rights a fundamental tenet

of our foreign policy and greatly increasing sensitivity to human rights concerns, we have helped to create an atmosphere in which human rights progress is much more likely to occur. We do not take credit for particular improvements, but we note the tangible evidence from every continent that the condition of large numbers of people—of individual, identifiable human beings—is less oppressive now than it seemed one year ago.

In Africa, there have been releases of substantial numbers of political detainees; for example, in Sudan. Nigeria, Upper Volta, Mali, and Ghana are moving toward reestablishment of civilian governments. Most African leaders have intensified their efforts to promote agricultural development. Nigeria and other African nations are supporting creation of an African Human Rights Commission under U.N. auspices.

In the Near East, Morocco moved toward political liberalization after nearly a decade of rule by decree. Restrictions on freedom of the press were lifted, and significant numbers of political prisoners were released. Tunisia authorized establishment of the Tunisian League for the Rights of Man, which has been permitted to investigate allegations of human rights violations. Iran released a substantial number of political prisoners and agreed to a visit by the International Committee of the Red Cross (ICRC).

In South Asia, there was in India a magnificent resurrection of democracy. Nepal released political prisoners and lifted newspaper curbs. Sri Lanka changed its government for the sixth time since independence through the free choice of its people. Pakistan released over 11,000 political prisoners.

In East Asia, the Indonesian Government released 10,000 political detainees, confirmed its intent to release 20,000 more in accordance with its previously announced release schedule, and agreed to resumption of ICRC visits. South Korea released all but one of the Myong Dong prisoners—opposition political and religious leaders who had opposed the government. The Philippine Government eased some of its martial law restrictions and released some detainees. The new Government of Thailand has eased press restrictions, improved trial procedures, and stated its intent to seek general elections early next year.

In Latin America, political prisoners were released in Haiti, the Dominican Republic, Paraguay, Argentina, and Peru. The military Governments of Peru, Ecuador, and Bolivia announced that elections will be held in 1978. States of siege were lifted in El Salvador and Nicaragua. Most Latin American governments have allocated increased resources to improving the living standards and productivity of their poor farmers. Some restrictive laws have been repealed in Panama. And El Salvador, Haiti, and Paraguay agreed to visits by the Inter-American Human Rights Commission.

In Western Europe, for the first time in NATO's history, every member of the alliance is a democracy. New churches have been constructed in Poland. Certain countries of Eastern Europe have eased their restrictions on emigration and family reunification. Some human rights activists in Poland and Romania have been released from prison. And live television programs in Hungary have allowed prominent Westerners to voice their views on political issues.

Despite these many improvements and others like them, the fact remains that the distance covered is dwarfed by the distance that remains to be traveled. I could recount in detail the retrograde human rights developments of the past year, as well as the horrendous human rights violations that persist across the globe—in many of the countries I have just mentioned, as well as elsewhere.

Suffice it to say that in all quarters of the world, too many people are still subject to torture and are suffering in squalid prisons, uncharged and untried. Too many people are hungry, have inadequate shelter, and lack medical care and educational opportunity. Too many people are living under martial law or are otherwise barred from political participation. Too many are denied the right to emigrate or even to travel freely within their own country.

. . . in the last analysis the cause of human rights has power and will succeed because, no matter what the obstacle, it tenaciously allows the world's people to "catch a dreaming glimpse of peace."

These problems are the challenges of the future. They will not be solved easily. But our experience with one year of human rights diplo-

macy convinces us that while the journey is long, it is not impossible.

Of course none of us can know for sure where the progress of human rights may lead. But every so often during the past year, as I have struggled to understand the deep meaning of human rights, I have felt a fleeting intimation of what untold spiritual and material riches may lie ahead—perhaps centuries ahead—in a world of true, universal human freedom. Justice Holmes perhaps had a similar feeling and certainly expressed it much better than I ever could when he said:

> I think it not improbable that man, like the grub that prepares a chamber for the winged thing it never has seen but is to be—that man may have cosmic destinies that he does not understand. And so beyond the vision of battling races and an improverished earth I catch a dreaming glimpse of peace.

I think that in the last analysis the cause of human rights has power and will succeed because, no matter what the obstacle, it tenaciously allows the world's people to "catch a dreaming glimpse of peace."

INTERNATIONAL HUMAN RIGHTS: U.S. POLICY

Some Problems

The purpose of this discussion sheet is to look at U.S. International Human Rights Policy in view of some criticisms with regard to U.S. performance. The discussion should lead the participants to confront some of the critical questions facing our government as it tries to make human rights and "active concern" in its foreign policy.

You are not expected to answer the questions posed, but rather it is hoped that you will spend some time trying to explore the implications of different responses to the questions.

1. "Gross violations of human rights"

   Congress has made it clear that countries,where there is "a consistent pattern of gross violations of human rights", are not to receive U.S. military aid and severe restrictions are put on economic aid. The Congress has defined "gross violations" as torture, cruel and inhuman treatment of prisoners, arbritrary arrests, etc. There is no specific defintion of what a "pattern" would be.

   Should the Department of State ask for further clarification or is it better to operate without tight definitions, thus giving greater flexibility in negotiations?

2. Case-by-case

   The U.S. states that is takes a case-by-case approach to international human rights.

   Should there be specific criteria applied equally to all? Are there other concerns (national security, economic development, etc.) that are equally important or that should take precedence?

3. Symbolic acts

   The State Department says that symbolic acts (trips to other countries by senior officials, official invitations to leaders of other nations to visit the U.S.) are means the U.S. can use to advance our human rights objectives.

   But, when Rumania's head of state, Nicolae Ceauseascu visited our country, Mr. Carter paid tribute to him for his record in human rights, asserting that we, in common with them, believe in enhancing human rights. But Ceauseascu is as ruthless in mistreatment of dissidents in Rumania as the Soviet Union is within its boundaries.

   The Shah of Iran visited the U.S. and appeared to the nation and the world as a friend. But this "friend" has for over 25 years been an enemy to human rights by maintaining a strong dictatorship. Iran's secret police, the SAVAK, are known worldwide for their arbritrary arrests, imprisonment without trial, and use of torture.

4. Africa

The U.S. has focussed much attention on the racist regimes of Rhodesia and South Africa, calling for majority rule. Are we to believe that all is well in the rest of Africa?

The Freedom House survey of nations reports that of the 50 African nations, there are four that are regarded as free, i.e. honoring civil, political and economic rights (Djbouti, Gambia, Botswana, Mauritius). There are 16 classified as partly free and there are 30 which by all of the criteria are classified as not free.

Is the U.S. simply going along with the U.N. selective condemnation of human rights violations, i.e. condemning white regimes (e.g. South Africa) and not black (e.g. Uganda)?

5. Organization of American States (OAS)

The Christian Science Monitor openned its report of the OAS meeting of June, 1977, with "The Western Hemisphere is split down the middle on the issue of human rights." The report stated that the U.S. and Venezuela led the fight to make human rights a paramount issue. The other side, lead by Argentina, Brazil, and Chile, contended that the containment of terrorism is equally if not more important. To argue the supremacy of human rights, they said, and to ignore the terrorist menace is a mockery.(Terrorism is often the government's justification for the use of arbitrary arrests, imprisonment without trial, and torture, etc.)

Should the U.S. risk problems in the OAS by insisting on human rights?

How might the U.S. respond to complaints of terrorism?

INTERNATIONAL HUMAN RIGHTS
ROLE PLAYING EXERCISE

GREEN GROUP

You represent an activist, leftliberal group that sees the United States as economic imperialist in the Third World. You focus your attention on preventing right-wing dictatorships from receiving economic and military assistance from the U.S. Your group will have sympathy for the "economic miracle" of China and for the efforts of Castro in Cuba.

Your task:

1. Become familiar with what U.S. foreign policy re human rights is.
2. Prepare a written statement for the U.S. Department of State advocating specific actions that the U.S. should take and offering arguments that support your position.
3. In preparing the Green Group position, your task is not to become a "convert" of that position but rather to understand it. Later you will be asked: What are its weaknesses? What does it want to protect? What does it take little account of? Is it practical?

The position as it is laid out below considers

1. How the Green Group views the U.S. and its role in world affairs;
2. Should the U.S. emphasize human rights in its foreign policy and, if so, what are some policy objectives;
3. Some reasons, arguments and comments supportive of the Green position.

View of the U.S. and World Affairs

A. The United States, through economic imperialism, controls the internal and foreign affairs of other nations, especially those in the Third World.

B. The U.S. gives economic support and military aid to right-wing governments because these countries buy into American capitalist policies and oppose socialist ideas and economic policies.

C. Despite human rights rhetoric, the U.S. continues to spend millions of tax dollars to support regimes that torture their own people and that deny basic human rights (food, clothing, shelter, education and employment) to the poor. All this is done in the name of national security and economic advancement.

D. Pentagon activity is directed toward the supposed threat of communist take-over.

E. The United States can turn around and use its power to force humane policies in these countries. It can use the powerful levers of military assistance and economic support to force repressive governments to change.

Human Rights and U.S. Foreign Policy

A. So far the Carter ADministration has talked a good deal about human rights but done little. The U.S. should end all economic and military aid to countries where right-wing dictatorships continue to violate the rights of the people (e.g. the Phillippines, South Korea, Argentina).

B. The U.S. should boycott goods from South Africa and Rhodesia.

C. The amount of money spent by these countries on military goods would better be used to help feed their people. The U.S. should stop shipments of arms to these governments (Iran, Brazil) for they use them against their own people.

D. The U.S. has provided support for dictatorships to provide a "stable economic environment" for the benefit of U.S. multinationals and businesses. The U.S. should order an end to all covert operations of the CIA in other countries. We do not want another Chili to be on the consciences of the American people.

E. Ostensibly stationed to provide for U.S. national security and against the threat of communism, tens of thousands of troops in Asia, Africa, and Latin America, in fact are a support for our repressive allies. These troops should be withdrawn.

Reasons, Arguments, Comments

A. Because the U.S. is the world leader militarily and economically, it has an effective lever to force change in countries that call for our assistance. The U.S. can refuse assistance and support to those countries where there are gross violations of human rights.

B. Without U.S. support these governments would be forced to change or face the prospect of being ousted by their people.

C. We abhor the violations of human rights in other parts of the world, e.g. the genocide in Cambodia, but the U.S. has no leverage here and no avenue of influence.

D. In the U.S. business is first. Huge transnational corporations use their influence to urge U.S. policies that support the status quo in Third World countries. Companies call for "stability" so that they can continue business as usual, i.e. so that they can reap huge profits by paying meager wages to Third World workers.

E. Under the guise of intelligence operations, the CIA supported dictatorships and helped to protect U.S. economic interests in countries like Iran and Chile. (The CIA supported Iran's secret police, the SAVAK, and Chile's DINA—both modern day SS troops.)

F. A boycott of South African goods will put sufficient pressure on the Afrikaner Government to force them to move toward majority rule.

G. Some of the socialist countries (e.g. China, Cuba), while not yet granting civil and political rights as we know them in this country, have made great strides in providing food, clothing, employment, and education for their people. People have to have the basic rights (food, shelter, jobs, education, etc.) before calling for freedom of speech, assembly, dissent, etc.

H."National security interests" to the Pentagon means that the U.S. should maintain a string of bases around the world to "contain communism". It also means that the U.S. must be number one in military strength and power.

INTERNATIONAL HUMAN RIGHTS
ROLE PLAYING EXERCISE

RED GROUP

You represent the conservative, anti-communist perspective in our country. Your lobbying focus will be the Soviet Union and U.S. human rights agreements with the Eastern European countries from the Helsinki Meetings.

Your task:

1. Become familiar with what U.S. foreign policy re human rights is.
2. Prepare a written statement for the U.S. Department of State advocating specific actions that the U.S. should take and offering arguments that support your position.
3. In preparing the Red Group position, your task is not to become a "convert" of that position but rather to understand it. Later you will be asked: what are its weaknesses? What does it want to protect? What does it take little account of? and Is it practical?

The position as it is laid out below considers

1. How the Red Group views the U.S. and its role in world affairs;
2. Should the U.S. emphasize human rights in its foreign policy and what are some policy objectives;
3. Some reason, arguments and comments supportive of the Red position.

View of the U.S. and World Affairs

A. The U.S., as a leader in the free world, must recognize and effectively deal with totalitarian communist states that have never given up their goal of world domination.

B. The Soviet Union supports communist efforts around the world, e.g. Cuba, North Vietnam. It supports and guides the policies of totalitarian governments in the Third World that came to power through "national liberation" movements.

C. Communism, itself, is a threat to the free world. Individual rights (i.e. civil and political rights) have been regarded by communists (see Marx) as a bourgeois illusion. Rights of individuals are subordinated to those of the collective, i.e. the state.

D. While the Soviet Union has never ceased to build up its military strength, the U.S. has reduced its military capabilities.

E. U.S. citizens should understand that it is only reasonable, given the history of the Soviet Union and its pre-eminent place in world communism, that agreements with them should be made from a position of military strength.

Human Rights and U.S. Foreign Policy

A. The pursuit of human rights (defined as civil and political rights) is a legitimate purpose of U.S. foreign policy. Such a policy should not be one that attacks our allies and ignores worse violations of human rights in communist and socialist countries of both Eastern Europe and the Third World.

B. Human rights agreements must be clear and specific, including adequate methods of investigating compliance and sanctions for non-compliance.

C. There should be a convincing linkage between our policy of advancing the cause of human rights and our military strategy.

D. An effective human rights policy in international affairs will involve an ideological contest with the Soviet Union. The U.S. should perfect its diplomatic and intelligence gathering methods with a view to:
-weakening the prestige of the U.S.S.R., i.e. discredit the communist way of manipulating human beings, ideas and history;
-strenghtening ties with groups behind the Iron Curtain favorable to the cause of increased autonomy and national independence;
-devising new systems of economic policies and sanctions for application when the U.S.S.R. and the Eastern European countries fail to live up to the Helsinki Agreements; and
-designing a reliable monitoring system for the evaluation of changes in orientation toward human rights.

Reasons, Arguments, Comments

A. A common, but naive, judgment current among liberals today is that the Soviet Union was forced into the arms race during the Cold War and after by the superior forces and arms build-up in the U.S. The Eastern European countries came under the domination of the U.S.S.R.in the post-World War II years because of a similar unrealistic assessment of Soviet intention and power. Today, the U.S. defense capability is weakened because of an unwarranted optimism with regard to the Soviet Union's politico-military goals.

B.There is no common understanding of what human rights are and how they are to be exercised. It is not true that because nations use the same words and phrases that the same meaning is understood and accepted by all.

C. The Soviet Union constitution enummerates the classical freedoms of speech, religion and assembly but along with this it stipulates that these political rights may be exercised by citizens in order to strengthen the established order. They cannot be used against the state for it is the state that grants these rights.

D. The rhetoric of the U.S.S.R. vis-a-vis human rights is extensive, rich and broad: its actions are to the contrary. In the development and formulation of the U.N. Universal Declaration of Human Rights (1948), the shift

away from the World Bill of Rights envisaged by the Western World and the formulation of the "social and economic rights" was a diplomatic victory for the Soviet Union. The human rights focus moved from a Bill of Rights (i.e. a document that could identify rights of individuals that could readily incorporated into laws and enforced) to a confusion of individual rights with human needs—social security, education, guaranteed employment (long-term goals difficult to legislate as specifics and enforcement often calling for the suspension of individual rights).

E. The U.S.S.R and its allies will believe that we are serious about human rights if we support these policies with military strength.

INTERNATIONAL HUMAN RIGHTS
ROLE PLAYING EXERCISE

ORANGE GROUP

You represent the perspective in our country that maintains a healthy respect for the sovereignty of governments within their own national boundaries. You believe that because human rights are neither commonly accepted nor understood a human rights emphasis in U.S. foreign policy will stir up a crusading spirit and ultimately lead to the use of military force in implementing policy. You see that such an emphasis would jeopardize peace, natinnal security, trade and jobs, the status of the dollar and the stability of governments that would be replaced by worse governments if weakened.

Your task:

1. Become familiar with what U.S. foreign policy re human rights is.
2. Prepare a written statement for the U.S. Department of State advocating specific actions that the U.S. should take and offering arguments that support your position.
3. In preparing the Orange Group position, your task is not to become a "convert" of that position but rather to understand it. Later you will be asked: what are its weakenesses; what does it want to protect; what does it take little account of; and is it practical.

The position as it is laid out below considers

1. How does this group view the U.S. and its role in world affairs;
2. Should the U.S. empahsize human rights in its foreign policy and if so, what are some policy objectives;
3. Some reasons, arguments, and comments supportive of the position.

View of the U.S. and World Affairs

A. The U.S., although a leader in world affairs and the strongest nation in the free world, does not have a free hand in implementing its foreign policy objectives. Traditional methods of international diplomacy are used. These are private remonstrances, public denunciation, appeals to international organizations (e.g. World Bank, U.N.), coercive measures (e.g. cutting off military or economic aid), restricting trade, and military force (either clandestine or overt).

B. There is no international authority governing the world; neither is there one world community. There are over 150 nations, each sovereign within its own boundaries. The world is characterized by a variety of cultures, religious beliefs, governmental systems. There are the rich and the poor both within and among nations.

C. The world is under constant threat of war, not only in terms of the Cold War division centering on the two superpowers (who have the capability to destroy the world several times over) but also within and between nations in all parts of the globe.

D. Because something is morally right (which human rights are), does not mean that the pursuit and protection of these rights are politically feasible in today's world. Such "moral" causes in the past have resulted in crusades which destroyed human lives and rarely resulted in achieving the goals of the crusade.

Human Rights and U.S. Foreign Policy

A. The promotion of human rights should not be a primary concern of U.S. foreign policy.

B. Even if the U.S. does incorporate human rights considerations into its foreign policy objectives, it cannot apply a common standard to all or in all circumstances. For example,questions of national security should of necessity take precedence(We do need military bases in other parts of the world. We cannot weaken allied governments in strategic parts of the world.).

C. The U.S. can under certain circumstances take a selective approach in incorporating a concern for human rights into its international relations. For example, the U.S. could refrain from economic and/or military support of repressive regimes when no important objective of policy is put in jeopardy by such action but would not do so if the national security or the economic stability of our country would suffer a set back.

D. The U.S. can, in its dealings with other governments, encourage respect for human rights in private remonstrances when this is deemed appropriate.

Reasons, Arguments, Comments

A. What is a human right? Different people will answer this question in a variety of ways because of their unique traditions, histories and religious values. American ideas of human rights come out of a Western tradition and , for the most part, are discussed in terms of civil and political rights. These rights may or may not be universal. The point is that they are not universally accepted by the peoples and nations of the world.

B. Demands, riots in countries (e.g. in the U.S.S.R. or Chile) do not mean that the people of these countries accept our interpretation of human rights. Neither is an indication that the pursuit and achievement of these rights are the declared will of the people. It may only be the desire of a small minority of the people.

C. Placing human rights in the center of U.S. foreign policy would mean that the U.S. must work energetically to change 2/3 of the world's countries. There is little evidence that there is universal understanding of what constitutes a human right. On the contrary there is much evidence

that there is vast disagreement here --many interpretations of what rights are and who should enjoy them.

D. There is no international authority to enforce human rights protective measures. Politics in the international arena are not like the politics of the American Civil Rights Movement:

-There are no commonly held values to support actions.
-There are no generally accepted norms or guides.
-There is no power to enforce laws, no international police force.
-There no courts.
-There is no legislature supported by voters.

E. The question of risk must be addressed. Are we willing to risk other key foreign policy objectives (e.g. those related to national security) in the pursuit of a human rights policy? Can we seriously consider military intervention or escalating problems between nation s with the goal of forcing the American vision of human rights on other peoples and countries?

INTERNATIONAL HUMAN RIGHTS
ROLE PLAYING EXERCISE

BLUE GROUP

You represent a group that sees the United States in world affairs as both part of the problem and part of the solution. You focus on civil and political rights and see meeting "basic needs" as goals toward which the society should work rather than "rights" than can be claimed per se. You believe that (a) due process rights and civil liberties are more simply enacted into law and are enforceable, and (b) there is little evidence (in fact, there is much evidence to the contrary) that governments that place social and economic rights first on their agendas have then moved to ensure civil and political rights. You believe that these governments have not done as well in meeting human needs as have those governments that have put civil and political rights on their agendas.

Your task:

1. Become familiar with what U.S. foreign policy re human rights is.
2. Prepare a written statement for the U.S. Department of State advocating specific actions that the U.S. should take and offering arguments that support your position.
3. In preparing the Blue Group position, you task is not be become a "convert" of that position but rather to understand it. Later you will be asked: What are its weaknesses? What does it want to protect? What does it take little account of? Is it pratical?

Your position as it is laid out below considers

1. How the Blue Group views the U.S. and its role in world affairs;
2. Should the U.S. emphasize human rights in its foreign policy and,if so, what are some policy objectives;
3. Some reasons, arguments, and comments supportive of the Blue position.

View of the U.S. and World Affairs

A. The United States has in its history, its resources, its political and religious traditions, the potential for effective leadership in progress toward building a more humane society worldwide.

B. In international problems and world affairs, the U.S. is part of the problem but the U.S. can be part of the solution if wise and effective policies are developed and implemented.

C. While the sovereignty of nations and national boundaries must be respected, these human-made divisions should not prevent Americans (and their government) from being concerned about the rights and welfare of other people in the world.

D. A realistic assessment of communist power and purpose does not ignore the real threat it poses to democratic values and world peace. Neither does it see Communism as a rigid, monolithic, totally evil force.

E. In our increasingly interdependent world, the question no longer is whether the U.S. should intervene in the affairs of another nation— for what one nation does or does not do (particularly the U.S.) does in fact influence policies (both internal and foreign) of other countries. The question is rather what manner of influence can and should be used and to what purposes and ends.

F. Just as the protection of rights in society and the pursuit of the common good calls for governments of nations, so the peoples now need to create a world government that will provide means of resolving conflicts without resort to war, take a leadership role in dealing with global problems, and safeguard and promote the rights of individuals.

Human Rights and U.S. Foreign Policy

A. A human rights component in U.S. foreign policy should focus on the civil and political rights: (a) the integrity of the person (freedom from arbitrary arrest and imprisonment, torture, unfair trial, cruel and unusual punishment, and invasion of privacy; (b) political freedoms (thought, speech, assembly, religion, press, movement, and participation in government).

B. The promotion and safeguarding of these rights should be an important policy objective.

C. The U.S. should condemn violations of these rights wherever a consistant pattern of gross violations is found whether this be in communist or socialist countries or in countries with strong economic and military ties to the U.S.

D. War, as a means of pursuing human rights, itself violates human dignity and rights are suspended during war.

E. Work on Basket Three of the Helsinki Agreements (human rights agreements between the NATO countries and the Eastern European nations) can move ahead at the same time as the Strategic Arms Limitation Talks (SALT - negotiations between the U.S. and the Soviet Union). Neither detente nor the SALT talks will be jeopardized by these human rights negotiations.

F. The U.S. as a world leader can and should take initiative steps in promoting human rights throughout the world. At the same time, the U.S. must be careful not to jeopardize our national security or to follow a path that would lead to cutting off formal relations with other nations and ending up in isolationism. For example, instead of cutting off economic and military aid to South Korea , the U.S. could suspend aid until certain governmental policies are changed or the U.S. could offer certain kinds of aid (increase in grants, reduction of debt owed to U.S.) as incentives for nations that safeguard and promote civil and political rights (e.g. if they have a free press, if there is freedom of religion, if prisoners receive fair trials, etc.)

Reasons, Arguments, Comments

A. Rights related to the integrity of the person (see above) and political liberties can be readily identified, enacted into law and enforced. Those denied these rights can have recourse to law and the judicial system of the country.

B. Social and economic rights require long-term programs and a certain level of wealth to meet the needs of which they speak. Human needs are infinitely exapndable and hence it is difficult to ascertain whether these rights are,indeed, enjoyed. Other U.S. policies and programs, but not the human rights component of out foreign policy, should endeavor to assist nations in providing the minimum basic requirements for their people (food, shelter, clothing, education, etc.).

C. The fact that human rights are not universally understood and accepted by all people and all nations (or even a majority of them) does not mean that we do not have a duty to safeguard and promote them.

D. Denial of human rights can bring some to use violence to overcome repressive governments,others to use human rights rhetoric as a tool in building a revolution against political opponents. War and mass violence increase human rights violations.

E. Enjoyment of rights tends to build a sense of community and make nonviolent conflict resolution more feasible. Civil and political rights require a free and open society. Government actions can be monitored by their own people and by others interested.

F. Nations seeking military aid and/or arms sales should understand that human rights performance within their countries will be an important factor in the U.S. decision.

G. Countries requesting economic support and assistance should know that human rights violations will be examined before grants, loans, and technical assistance given.

H. The SALT talks and the arms negotiations between the NATO and the Warsaw Countries are in themselves of critical importance. There is no evidence that tensions resulting from U.S. human rights policies jeopardize these.

I. The U.S. should show its willingness to negotiate and its leadership capabilities by taking initiative steps to bring about human rights agreements. For example, the U.S. could invite Soviet officials to the U.S. to investigate specific human rights violations here to document their accusations and to suggest corrective measures. The U.S. could then request a similar openness on the part of the Soviet Government.

STUDY SHEET

Answer the following questions for the group you represent as an aid to understanding the group's position. (Your group may not have responses to all of the questions.) Then you should be ready to write your statement.

A. Your group believes that international human rights efforts should focus on

_____civil and political rights
_____economic and social rights
_____both, with a major focus on civil and political rights
_____both, with a major focus on economic and social rights
_____other (state clearly)

B. Your group wants the U.S. government to

_____make international human rights a primary focus of U.S. foreign policy
_____incorporate international human rights as an important element in U.S. policy
_____treat international human rights as a minor consideration
_____deal with problems of international human rights through informal diplomacy and in private conversations with government leaders.
_____other (state clearly)

C. Does your group believe that the U.S. has a right to require certain human rights behaviors of other governments in their dealings with their own people? How does the group explain and justify its position? or does

D. Does your group believe that other foreign policy considerations should take precedence over human rights or that other goals conflict with human rights goals? (For example, national security, trade, economic development, etc.) Explain the position.

E. Should the U.S. refuse military aid to nations where there is a "consistent pattern of gross violations of human rights"? Always? Sometimes? Never? How does the group justify its position?

F. Should the U.S. refuse economic aid to nations where there is a "consistent pattern of gross violations of human rights"? Always? Sometimes? Never? How does the group justify its position?

G. Should the U.S. participate in or encourage economic boycotts of nations where there is a "consistent pattern of gross violations of human rights"? In every case? Sometimes? Never? Justify the group's position.

H. Your group believes that the U.S.

_____should continue efforts to reverse the arms race and also advance human rights <u>without</u> making one the condition of the other.
_____should soft pedal human rights discussions while arms negotiations are taking place.
_____should make respect for human rights a <u>condition</u> in arms agreements.

I. Should the U.S. be willing to give military assistance to revolutionary movements that are fighting for their human rights?